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17 Attorneys for Defendant
18 Bayer Corporation

19 **UNITED STATES DISTRICT COURT**
20 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
21 **OAKLAND DIVISION**
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Peng, D-G; Chiu, Y-F; Lei, C-L, individually
and as successor in interest on behalf of Ho,
D-W; Su, W-N and Su-Chang, C-H,
individually and as successors in interest on
behalf of Su, G-Y; Chiu, Y-F, individually and
as successor in interest on behalf of Wu, R-
H; Yang, D-C,

Plaintiffs,

v.

Bayer Corporation, Successor to Miles
Laboratories and Miles, Inc.; Successor to
Cutter Biological, and Cutter Laboratories,
Inc. and Baxter Healthcare Corporation, and
its Hyland Division,

Defendants.

Case No.: CV 08 3704 (JL)

E-FILED

**DEFENDANT BAYER
CORPORATION'S CONSENT TO
PROCEED BEFORE A UNITED
STATES MAGISTRATE JUDGE**

U.S. Magistrate Judge James Larson

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party
hereby voluntarily consents to have a United States Magistrate Judge conduct any and all further
proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the
judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

DATED: August 25, 2008

GEOFFREY SMITH, PLLC

By /s/ Geoffrey R. W. Smith
Geoffrey R. W. Smith

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BAYER CORPORATION

PROOF OF SERVICE

I am over the age of eighteen years and not a party to the within action. I am a member of the bar of this court. My business address is GEOFFREY SMITH PLLC, 1350 I Street, NW, Suite 900, Washington, DC 20005.

On August 25, 2008, I electronically filed the following document(s):

Defendant Bayer Corporation's Consent To Proceed Before A United States Magistrate Judge

with the Clerk of the United States District Court for the Northern District of California, Oakland Division, using the CM/ECF system, and deposited copies thereof in the United States mail, first class postage prepaid, to the persons and at the addresses listed below.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on August 25, 2008, at Washington, D.C.

/s/ Geoffrey R. W. Smith
Geoffrey R.W. Smith